

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

## EXPRESS MOBILE, INC.,

Case No. 6:20-cv-00802-ADA

Plaintiff,

## Jury Trial Demanded

VS.

eBAY INC.,

### Defendants.

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## **CASE READINESS STATUS REPORT**

Plaintiff Express Mobile, Inc. (“EMI”) and Defendant eBay Inc. (“eBay”) hereby provide the following status report in advance of the initial Case Management Conference (CMC).

## **FILING AND EXTENSIONS**

Plaintiff's Complaint was filed on September 1, 2020. There has been one extension for a total of 30 days.

## **RESPONSE TO THE COMPLAINT**

eBay filed an Answer to the Complaint on October 23, 2020.

## **PENDING MOTIONS**

There are no pending motions.

## **RELATED CASES**

The following cases are related, in that they all involve the Plaintiff and the same and/or similar patents.

- *Express Mobile, Inc. v. Facebook, Inc.*, Case No. 6:20-00803-ADA (W.D. Tex.) filed September 1, 2020, in which Facebook, Inc. has responded to the initial pleading – Answer filed 10/26/20 Dkt. 17.

- *Express Mobile, Inc. v. Google LLC*, Case No. 6:20-00804-ADA (W.D. Tex.) filed September 1, 2020, in which Google LLC filed an opposed motion for extension of time to respond to 11/6/2020 which was granted on 10/19/2020. Google's Response is now due 11/6/2020.
- *Express Mobile, Inc. v. Atlassian Corp. plc et al* Case No. 6:20-cv-00805-ADA (W.D. Tex.) filed September 1, 2020, in which Atlassian Corp. filed an unopposed motion for extension of time to respond to 12/22/2020 which was granted on 9/23/2020. Atlassian's Response is now due 12/22/2020.
- *Express Mobile, Inc. v. Dropbox, Inc.*, Cases No. 6:20-00806-ADA (W.D. Tex.) filed September 1, 2020, in which Dropbox, Inc. filed an opposed motion for extension of time to respond to 11/9/2020 which was granted on 10/20/2020. Dropbox's Answer is now due 11/9/2020.

#### **IPR, CBM, AND OTHER PGR FILINGS**

Third-party, Unified Patents, filed a request for reexamination of U.S. Patent No. 7,594,168, which the PTO granted on October 28, 2020.

#### **NUMBER OF ASSERTED PATENTS AND CLAIMS**

Plaintiff has asserted Patent Nos. 6,546,397 ("the '397 patent") and 7,594,168 ("the '168 patent").

#### **APPOINTMENT OF TECHNICAL ADVISER**

At this time, the parties have not decided whether a technical adviser is necessary. The parties look forward to discussing the issue with the Court at the CMC.

#### **MEET AND CONFER STATUS**

Plaintiff and Defendant conducted a meet & confer conference on November 2, 2020. The parties have no pre- Markman issues to raise at the CMC.

Dated: November 4, 2020

Respectfully submitted,

/s/ Robert Kramer (with permission by Robert Christopher Bunt)

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing has been served on all counsel of record who are deemed to have consented to electronic service via the Court's CM/ECF system on November 4, 2020.

/s/ Robert Christopher Bunt  
ROBERT CHRISTOPHER BUNT